

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

CHARLESTON DIVISION

BARBARA CAMPBELL

Plaintiff,

v.

CIVIL ACTION NO. 2:11-cv-00638

WEST VIRGINIA DEPARTMENT OF HEALTH
AND HUMAN RESOURCES, et al.,

Defendants.

ORDER

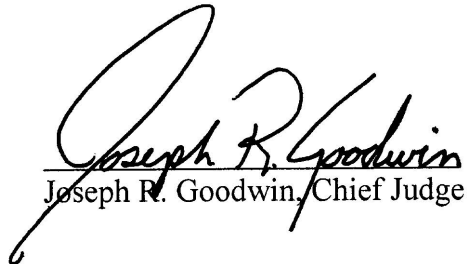
This action was referred to the Honorable Mary E. Stanley, United States Magistrate Judge, for submission to this court of proposed findings of fact and recommendation for disposition pursuant to 28 U.S.C. § 636(b)(1)(B). The Magistrate Judge has submitted a Proposed Findings and Recommendation [Docket 5] recommending that the court **DISMISS** the plaintiff's Complaint [Docket 2] with prejudice under 28 U.S.C. 1915(e)(2)(B). Neither party has filed objections to the Magistrate Judge's findings and recommendations.

A district court "shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made." 28 U.S.C. § 636(b)(1)(C). This court is not, however, required to review, under a *de novo* or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the findings or recommendation to which no objections are raised. *Thomas v. Arn*, 474 U.S. 140, 150 (1985). As the parties have not filed objections in this case, the court accepts and incorporates herein the findings and recommendation of the Magistrate Judge and orders judgment consistent

with the findings and recommendations. Accordingly the court **DISMISSES** the plaintiff's Complaint [Docket 2] with prejudice and **DIRECTS** that this action be removed from the docket.

The court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and any unrepresented party.

ENTER: June 28, 2012


Joseph R. Goodwin, Chief Judge